

1 Honorable Benjamin H. Settle
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 KELLEY CALDWELL,

NO. 3:19-CV-6095-BHS

11 Plaintiff,

JOINT REQUEST OF THE PARTIES
FOR ORAL CLOSING ARGUMENTS

12 v.

CARLOS DEL TORO, Secretary of the Navy,

Noted on Motion Calendar:
June 21, 2022

13 Defendant.
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15 The Court has reserved ruling on whether the parties shall submit post trial briefing or
16 present oral arguments at the conclusion of the trial (Order, Dkt. No. 58). The parties jointly
17 respectfully request that the Court order that the parties will present their closing argument at the
18 conclusion of the trial by oral argument, and not submit post trial briefing. The parties anticipate
19 and request no more than fifteen minutes for each party's argument. There is one claim before
20 the Court, and the testimony of the witnesses has been relatively brief. The Court has received
21 significant briefing from the parties through the various pretrial filings. The parties have filed a
22 stipulated statement of facts and have stipulated to the amount of back pay to be awarded if the
23 Court finds in favor of the plaintiff, Kelley Caldwell.
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1 In addition, the undersigned counsel for the Navy anticipates retiring from federal service
2 effective July 31, 2022, and has duties associated with the turnover and transition and
3 commitments in other cases which may complicate submitting post trial briefing before her
4 anticipated retirement. Moreover, any successor counsel, who did not try the case, would need
5 sufficient time to prepare post trial briefing on behalf of the Navy.

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7 Counsel have conferred on this issue and concur that a brief, oral closing would be
8 preferable for the parties and prejudicial to neither.

9 DATED this 21st day of June, 2022.

10 Respectfully submitted,

11 By:

12 s/ Chalmers C. Johnson

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16 *Attorney for Plaintiff*

11 By:

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17 *Attorney for Defendant*

ORDER

Pursuant to the foregoing, it is hereby

ORDERED, ADJUDGED and DECREED that the Parties will give oral closing arguments and not submit post trial briefing.

DATED this _____ day of _____, 2022.

Benjamin H. Settle
United States District Court Judge

Presented by:

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